

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2003-018977

03/01/2006

HON. THOMAS DUNEVANT, III

CLERK OF THE COURT  
S. Brown  
Deputy

FILED: 03/03/2006

DANIEL BOWDEN

SCOTT M HARRIS

v.

G & I, I I I POSADA DEL ESTE L L C

W LLOYD BENNER

**ORAL ARGUMENT SET**

IT IS ORDERED setting this matter for oral argument on **Defendant G&I III Posada Del Este, LLC's Motion for New Trial on April 10, 2006** at **9:15 a.m.** in this division.

The proceedings will take place in the Superior Court's new "e-courtroom." A record of the proceedings will be made by videotape and CD in lieu of a court reporter. Should you want an unofficial copy of the proceedings, the parties or counsel may request a videotape or CD of the proceedings for a \$20.00 charge. If a CD or videotape is requested, please obtain a form from the courtroom clerk or from the Self Service Center to request a daily copy of a court hearing or trial proceeding being conducted. Pay the applicable fee **at the Self Service Center**. Attach the receipt showing payment of the fee and present both the receipt and the form to the courtroom clerk or bailiff. **For copies of hearings or trial proceedings recorded previously, please call Electronic Records Services at 602-506-7100.**

Should an official transcript be required, you may request that the court prepare it. The party ordering the transcript must pay for it. **To request a transcript call 602-506-7100** and provide the date of the proceeding, the case number, the case caption, if the transcript is for an appeal, and your name, address and telephone number. With this new technology, a court reporter is likely not required and the parties are encouraged to experience the court's video recording system before requesting a court reporter. If a court reporter is required, the court must receive a written request at least 48 hours before the commencement of the proceeding. Failure to timely request a court reporter will be deemed consent to proceed without a court reporter.

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IF ANY ISSUES IN THE MOTION RELATE TO DISCOVERY PROBLEMS, COUNSEL SHALL CONFER TO ATTEMPT TO RESOLVE THEIR DIFFERENCES OR TO REDUCE THE AREAS OF DISPUTE. COUNSEL ARE REMINDED THAT THE COURT WILL LIKELY IMPOSE SANCTIONS AGAINST THE LOSING PARTY IN ACCORDANCE WITH RULE 37(a)(4), RULES OF CIVIL PROCEDURE.

IT IS FURTHER ORDERED:

Oral argument shall not exceed five minutes for each side. If extended oral argument is necessary, counsel must so advise the Court no later than four court days prior to the date set for hearing so that oral argument can be rescheduled.

Any motion or stipulation for continuance must be filed with the Court no later than four court days prior to the date set for hearing. After that date, no continuances will be granted except for extraordinary circumstances.

All memoranda and affidavits regarding the motion must be filed and copies lodged with this division no later than four court days prior to the date set for hearing.

Counsel are advised that if the answering memorandum is not timely filed in accordance with the Arizona Rules Of Civil Procedure, oral argument may be vacated and the motion will be ruled upon in accordance with Rule 7.1 (b), A.R.C.P.